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Chenard

19 August 1959

MEMORANDUM FOR: DMI

SUBJECT : Planning Board Comments on Coyne Report re
Disclosure of Classified Military Information
Abroad

1. There may be a good deal more to this apparently innocuous problem from the Agency standpoint than meets the eye. As I understand it our interest in this report springs from three sources.

a. DCI's authority under paragraph h d of NSCID 1 to disseminate national and interdepartmental intelligence for foreign governments and international bodies with concurrence of USIB. As I understand it the exchange of letters with the Secretaries of State and Defense in 1958 (IAC-D-115/2) in which State and Defense agree not to exercise their SD-MICC authority with respect to classified military information containing national and interdepartmental intelligence further clarifies our position.

b. Under NSCID 5 CIA has certain responsibilities for counter intelligence liaison abroad and maintaining certain counter intelligence capabilities which cannot be divorced from the policies and practices of SD-MICC. CI is anxious that any expansion of SD-MICC responsibilities not infringe upon these.

c. We are apparently having a problem with AEC and Defense over transmission of RD material for intelligence purposes by CIA. We got the AE act amended last year to permit us to be the transmission agent but have since been unable to reach agreement with AEC and DOD on procedures for doing this (see my comment below).

2. When I queried Pat Coyne as to whether there was any intention in his report to question our responsibilities he assured me that there was not. Hence in order to protect our position I got a general demur inserted in the Planning Board comment where it appears as paragraph 5 c.

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3. However, AEC has apparently raised questions about this demand querying in effect whether NSCID 1 is applicable where RD matters are concerned. As Pat Coyne puts it, Charlie Reichardt kept waltzing around the question of whether under NSCID 1 the intelligence community could release RD data. Hence, DCI better be briefed on this problem before NSC. The AEC reservation in the Planning Board comment appears in 1-(g) under paragraph 3.

4. With respect to Coyne's recommendation that State and Defense prepare a comprehensive restatement of military information release policy (paragraph 5 b of Planning Board recommendations), we can hardly object to this but must be on our guard against any infringement of our responsibilities in the restatement. Hence I suggest rewording Paragraph 5 b, line 2 to substitute "consulting as appropriate" with DCI for "after appropriate consultation" with DCI. Also it seems preferable that the policy statement be sent to the NSC for consideration rather than just information.

5. Jack Warner has made the very interesting suggestion that we seek to have the comprehensive restatement of SD-WICC policy include RD, thus giving us additional leverage. This may have considerable merit, though I am not sure that substituting SD-WICC for AEC as our antagonist on RD matters would improve things any. However, if SD-WICC assumed the responsibility for RD perhaps the intelligence transmission of RD would come under the exception procedure of NSCID 1.

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